

**(1) First and Final Account and Report of Executor and Petition for Its Settlement,
 (2) for Allowance of Compensation for Ordinary Services, (3) for Attorney's Fees
 for Ordinary Services and (4) for Final Distribution**

| | | | |
|-----------------------------------|----------------------|---|---------------------------------|
| DOD: 10/6/2001 | | SARAH LOPEZ , Executor, is petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| | | | |
| | | Accounting 6/25/02 – 6/25/14 | |
| | | | |
| Cont. from | | Accounting - \$164,443.71 | |
| Aff.Sub.Wit. | | Beginning POH - \$157,395.49 | |
| | | Ending POH - \$ 2,956.02 | |
| ✓ | Verified | Attorney - \$2,956.02 (less than the statutory amount of \$4,215.01) | |
| ✓ | Inventory | | |
| ✓ | PTC | Executor - \$4,886.00 (greater than the statutory amount of \$4,215.01) | |
| ✓ | Not.Cred. | | |
| ✓ | Notice of Hrg | Petition states in December 2004 petitioner informed counsel that she had withdrawn her statutory compensation based on counsel's 6/5/04 letter to the Department of Health Services, informing them of the status of the estate. Petitioner mistakenly believed, based on the letter that she could withdraw said compensation. At that time counsel informed the petitioner that she was not authorized to pay herself and inquired as to the petitioner's ability to return the funds to the estate. Petitioner informed counsel that the funds had been spent on moving and living expenses. Counsel informed Petitioner that he needed to research the issue. Thereafter, counsel was involved in two trials. In addition counsel's elder mother, became ill and needed his assistance and care. Sometime in the late fall of 2005 counsel's files for this estate were mistakenly placed into storage. Counsel had no further contact with the petitioner and failed to file a petition for final distribution. Counsel completely forgot about this case until he received a Notice of Status Hearing from the court. | |
| ✓ | Aff.Mail | | |
| Aff.Pub. | | | |
| ✓ | Sp.Ntc. | | |
| Pers.Serv. | | | |
| Conf. Screen | | | |
| ✓ | Letters | 6/25/02 | |
| Duties/Supp | | | |
| Objections | | | |
| Video Receipt | | | |
| CI Report | | | |
| ✓ | 9202 | | |
| ✓ | Order | | |
| Aff. Posting | | | |
| Status Rpt | | | |
| UCCJEA | | | |
| Citation | | | |
| | FTB Notice | N/A | |
| Please see additional page | | | |
| | | | Reviewed by: KT |
| | | | Reviewed on: 7/28/14 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 1 – Nelson |

Petition states the executor withdrew a total of \$4,886.00 from the estate without consulting counsel under the mistaken belief that she was entitled to said funds. The balance of the estate's bank account prior to the Executor's unauthorized withdrawal was \$8,236.02, which amount is insufficient to pay both the Executor and Attorney the full statutory compensation of \$4,215.01 each. The attorney for the executor agrees to accept the sum of \$2,956.09 as total compensation for his ordinary services.

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|-------------------------------------|----------------------|---|--|
| DOD: 3-11-04 | | <p>PUBLIC ADMINISTRATOR, Successor Administrator, is Petitioner.</p> <p>I&A filed 3-5-07 indicated a total estate value of \$466,587.93 consisting of \$181,237.93 cash plus real and personal property.</p> <p>History: JENNIFER TROTTIER, a resident of Portland, Oregon, was appointed as Executor with full IAEA without bond on 8-3-04. Ms. Trottier was removed as Executor on 3-6-08. Ms. Trottier had filed a petition for final distribution, which was not settled.</p> <p>Petitioner states there are no assets in possession of the Public Administrator. According to the former Executor's petition for final distribution, she distributed the furnishings, vehicle, and \$90,000, in addition to monthly payments totaling \$24,475 to the decedent's mother, and paid Attorney James Hurbutt \$368 for legal services, all without court authorization. At the end of her account period, she claimed there was \$19,224.98 on deposit at EECU; however, the Public Administrator contacted the credit union on 4-7-14 and they did not find anything under the account number, name, or social security number. Without a detailed schedule of disbursements, Petitioner cannot say whether the former Executor gave away or kept the assets. Ms. Trottier did not return a phone call.</p> <p>There are no assets for distribution. Ms. Trottier breached her fiduciary duty by making distributions without court order and by failing to account for estate assets. Therefore, she should be surcharged the full amount listed on the Inventory and Appraisal: \$466,587.93. At least one creditor filed a claim for which there is no documentation of payment. Ms. Trottier may have received funds that should have gone to the Oregon bankruptcy court. Katharine Lovely may not have received her full share of the estate.</p> <p>Because Ms. Trotter did not account for the assets she administered, she should be liable for all of them. The surcharge should be assigned to any outstanding creditor or beneficiary so that they may collect on their debts.</p> <p>Petitioner prays that:</p> <p>1) The final report be settled, allowed and approved as filed, and all acts and proceedings of Petitioner as Administrator be confirmed and approved;</p> <p>2) The Court find that Jennifer Trottier, as former administrator, is personally liable to the estate for \$466,587.93;</p> <p>3) An assignment of surcharge be made to outstanding creditors and beneficiaries;</p> <p>4) the administration of the estate be closed;</p> <p>5) the Public Administrator be discharged as successor administrator; and</p> <p>6) for such other and further orders as the Court considers just and proper.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. The Public Administrator was appointed 3-6-08 and Letters issued 4-1-08. Petitioner does not provide an explanation as to the delay in administration. The Court may require clarification.</p> |
| Cont. from 061814 | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input type="checkbox"/> | Verified | | |
| <input type="checkbox"/> | Inventory | | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input type="checkbox"/> | Notice of Hrg | | |
| <input type="checkbox"/> | Aff.Mail | | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input type="checkbox"/> | Letters | | |
| <input type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |

Reviewed by: skc

Reviewed on: 7-28-14

Updates:

Recommendation:

File 2 - Trottier

(1) First Account and Status Report of Administrator, and (2) to set Aside Exempt Personal Property

| | | | |
|--|----------------------|---|--|
| DOD: 9/18/2007 | | LAURA DOZIER , surviving spouse/Administrator, is petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| | | | |
| | | Account period: 2/4/2008 – 9/30/2013 | OFF CALENDAR First Amended Account filed 07/29/14 and set for hearing on 09/03/14 |
| Cont. from 121113, 020314, 022414, 032414, 042114, 051914, 063014 | | Accounting - \$650,755.95 Beginning POH - \$650,750.00 Ending POH - \$333,000.00 | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | <p>There have been 7 continuances in this matter without any updates. As of 7/28/14 the following issues remain:</p> <ol style="list-style-type: none"> 1. Petition does not allege any fact as to why the personal property should be set aside for the surviving spouse. 2. Disbursement schedule does not include the nature and purpose of each disbursement as required by Probate Code §1062(b). 3. Petition states the Petitioner used the proceeds from the sale of a bulldozer to reimburse herself various administrative expenses. Need itemization. 4. Need order <p>Note: If the petition is granted the court will set a status hearing for the filing of the petition for final distribution on Friday, September 26, 2014 at 9:00 a.m. in Dept. 303.</p> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p> |
| <input checked="" type="checkbox"/> | Verified | Petitioner states certain assets that were decedent's separate property constitute exempt personal property eligible to be set aside to the surviving spouse pursuant to Probate Code §6510. Petitioner requests the court set aside the following personal property with an aggregate value of \$10,250.00 | |
| <input checked="" type="checkbox"/> | Inventory | <ul style="list-style-type: none"> • 1997 Chevrolet pickup truck • 2005 Honda ATV R1V32 • 2005 KTM Motorcycle • 1963 Willy Jeep | |
| <input checked="" type="checkbox"/> | PTC | Petitioner states as surviving spouse, she is entitled to have the assets set over to her. Petitioner has already taken possession of the assets and requests that her actions be ratified and confirmed. | |
| <input checked="" type="checkbox"/> | Not.Cred. | | |
| <input checked="" type="checkbox"/> | Notice of Hrg | | |
| <input checked="" type="checkbox"/> | Aff.Mail | W/ | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input checked="" type="checkbox"/> | Letters | 2/4/08 | |
| <input type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | Petitioner states the estate is not yet in a position to close. An action was filed on a rejected creditor's claim. The estate defaulted. The estate now is reviewing the situation to see whether it is possible to file a motion to set aside the default. Petitioner believes it will take an additional 4-6 months to close the estate. | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input checked="" type="checkbox"/> | 9202 | | |
| <input type="checkbox"/> | Order | X | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input checked="" type="checkbox"/> | FTB Notice | | |

Please see additional page

Petitioner prays for an order:

1. That the First Account and Report of Petitioner be settled, allowed and approved as filed;
2. That all actions of Petitioner as Administrator, as set forth in the petition, account and report be ratified, confirmed and approved;
3. That the exempt personal property described in the petition be set aside to the surviving spouse;
4. That the administration of the estate continue.

4 Justine Coleman (Estate)

Case No. 10CEPR00907

Atty Willoughby, Hugh W. (for Robert Winkler – Executor/Petitioner)

(1) Final Account and Report and (2) Petition for Final Distribution and (3) for Allowance of Compensation for Ordinary and Extraordinary Services

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|---------------------------|---|---------------------------------|
| DOD: 08/26/10 | JUSTINE COLEMAN , Executor, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: |
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| | Account period: 08/26/10 – 06/15/14 | |
| Cont. from | Accounting - \$291,321.08 | |
| Aff.Sub.Wit. | Beginning POH - \$160,774.00 | |
| ✓ Verified | Ending POH - \$170,217.39 | |
| ✓ Inventory | Executor - \$8,428.42 | |
| ✓ PTC | (statutory) | |
| ✓ Not.Cred. | Attorney - \$8,428.42 | |
| ✓ Notice of Hrg | (statutory) | |
| ✓ Aff.Mail | Attorney x/o - \$1,275.00 | |
| Aff.Pub. | (itemized by date for work related to collecting assets of decedent's predeceased mother's estate, resulting in distribution of assets to this estate) | |
| Sp.Ntc. | | |
| Pers.Serv. | | |
| Conf. Screen | | |
| Letters 12/08/10 | Distribution, pursuant to decedent's estate, is to: | |
| Duties/Supp | American Lung Association - \$50,695.18 | |
| Objections | American Cancer Society - \$50,695.18 | |
| Video Receipt | Marjaree Mason Center - \$50,695.18 | |
| CI Report | | |
| ✓ 9202 | | |
| ✓ Order | | |
| Aff. Posting | | |
| Status Rpt | | |
| UCCJEA | | |
| Citation | | |
| ✓ FTB Notice | | |
| | | Reviewed by: JF |
| | | Reviewed on: 07/28/14 |
| | | Updates: |
| | | Recommendation: |
| | | File 4 – Coleman |

Second Amended First Account and Report of Conservators; Petition for Allowance of Fees to Attorney for Conservators

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|--|----------------------|--|---|
| Age: 41 years | | MANUEL CHAVEZ , father, and SUSAN CHAVEZ-LEON , sister, Co-Conservators of the Person and Estate, are Petitioners. | NEEDS/PROBLEMS/COMMENTS: |
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| | | | |
| | | | |
| Cont. from 052114, 070214 | | Account period: 12/19/12 - 11/30/13 | Continued from 7/2/14. As of 7/28/14 the following issues remain: |
| <input type="checkbox"/> | Aff.Sub.Wit. | Accounting - \$309,801.00 | Problems include but are not limited to: 1. All amounts listed in the accounting and on the inventory are rounded off. The accounting must include the actual amounts. 2. Corrected Inventory and Appraisal filed on 4/15/14 does not include attachment 2. The property listed on attachment 1 totals \$18,534 and not \$33,621 as listed. Therefore the total for the corrected inventory and appraisal is not \$255,621. 3. Statement of Cash Assets at the beginning of the account lists assets totaling \$19,633. The assets at the beginning of the account period should be the same as listed on the corrected inventory and appraisal. Please see additional page |
| <input checked="" type="checkbox"/> | Verified | Beginning POH - \$241,633.00 | |
| <input type="checkbox"/> | Inventory | Ending POH - \$230,127.00 (\$8,127.00 is cash) | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input checked="" type="checkbox"/> | Notice of Hrg | Conservator - not requested | |
| <input checked="" type="checkbox"/> | Aff.Mail W/ | Attorney - \$7,950.00 (per declaration and itemization, for 25.00 hours (reduced from 36.90 hours) @ \$265.00 per hour;) | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | Costs - \$1,035.00 (filing fees, process service fee; certified copies) | |
| <input type="checkbox"/> | Letters | | |
| <input type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | Bond - \$201,850.00 (sufficient) | |
| <input type="checkbox"/> | Video Receipt | Petitioner prays for an order: | |
| <input type="checkbox"/> | CI Report | 1. Approving, allowing, and settling the [First] Account and acts of Co-Conservators; and | |
| <input type="checkbox"/> | 2620 X | 2. Authorizing the Attorney fees and costs advanced to the Conservatorship during the accounting period; and | |
| <input checked="" type="checkbox"/> | Order | 3. Finding that the Conservatee is not able to complete an affidavit of voter registration and is not entitled to vote. | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| Court Investigator Charlotte Bien's Report filed 9/10/2013. | | | Reviewed by: KT Reviewed on: 7/28/14 Updates: Recommendation: File 5 – Chavez |

4. *Schedule C, Disbursements*, contains entry on 6/15/2013 for attorney's fees of **\$5,971.00** to Lance Armo for costs of suit against **HOLLY BILLINGS** for default on loan. Court may require further information regarding the nature and character of the loan, and justification for these attorney's fees having been paid from the Conservatorship estate in contravention of Probate Code § 2647, which provides that no attorney fees may be paid from the estate of the Conservatee without prior Court order. The estate of the Conservatee is not obligated to pay attorney fees established by any engagement agreement or other contract until it has been approved by the Court. *[Note: Schedule A, Receipts shows entry dated 6/15/2013 for receipt of \$9,168.00 in proceeds from collection of judgment against Holly Billings for loan default, resulting in receipt of \$3,197.00.]*
5. Disbursement schedule includes **\$781.00** for dining out from 12/1/12 – 11/30/13. Disbursement must include the nature and purpose of each item and should not be listed as a lump sum.
6. Disbursement schedule includes a payment of **\$608.00** on 1/30/13 to AT&T. Court may require clarification for this large payment.
7. Petition asks for attorney fees totaling **\$7,950.00**. Attorney fees appear to include duplication of work by the attorney and the paralegal. For instance billing statement includes time for the attorney to prepare all the pleadings and also for the paralegal to prepare all the pleadings. The billing statement includes .30 hours (\$74.50) for the attorney to prepare the Duties of Conservator. In addition the billing statement also includes paralegal time of .20 (\$5.00) to prepare the same form. The only thing that needs to be prepared on the Duties of Conservator form is the case name and case number. The billing statement also includes time to prepare a Petition for Exclusive Authority to Give Medical Treatment that was filed at the same time as the Petition for Appointment of Conservator. This was an unnecessary petition in that the request can be made in Petition for Appointment of Conservator. The fees also include time for the preparation of the amended petition.
8. Need care facility statements for Sierra Vista Skilled Nursing Facility. Probate Code §2620(c)(5).

Note: Court will set status hearing as follows:

- **Wednesday, January 28, 2015 at 9:00 a.m. in Dept. 303** for the next accounting.

Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required.

Atty Kruthers, Heather H. (for Public Administrator – Administrator/Petitioner)

(1) First and Final Account and Report of Administrator and (2) Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and (3) for Distribution

| | | | |
|-------------------------------------|----------------------|--|---|
| DOD: 01/04/13 | | PUBLIC ADMINISTRATOR , Administrator, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 06/11/14</u> Minute Order from 06/11/14 states: Later and off the record, Mary Ybarra appears and objects to the Petition. The Court rescinds its previous order granting the petition. The matter is continued to 07/30/14. As of 07/28/14, nothing further has been filed. <u>Note:</u> The Order previously submitted was signed prior to the order being rescinded. Need new Order. |
| | | | |
| | | Account period: 08/29/13 – 03/27/14 | |
| Cont. from 061114 | | Accounting - \$128,880.79 | |
| <input type="checkbox"/> | Aff.Sub.Wit. | Beginning POH - \$127,804.50 | |
| <input checked="" type="checkbox"/> | Verified | Ending POH - \$12,967.49 | |
| <input checked="" type="checkbox"/> | Inventory | Administrator - \$4,866.43 (statutory) | |
| <input checked="" type="checkbox"/> | PTC | Administrator x/o - \$2,028.45 (per Local Rule for the sale of real property and sale of personal property) | |
| <input checked="" type="checkbox"/> | Not.Cred. | Attorney - \$4,866.43 (statutory) | |
| <input checked="" type="checkbox"/> | Notice of Hrg | Bond fee - \$161.10 (ok) | |
| <input checked="" type="checkbox"/> | Aff.Mail | Costs - \$460.50 (filing fees and certified copies) | |
| | Aff.Pub. | Petitioner states that after payment of commissions, fees and costs in the amount of \$12,382.91, the remaining \$584.58 will be paid to Frances Ybarra as partial reimbursement for funeral costs. Due to the insufficiency of the estate, there are no assets from which to pay the creditor's of the estate or distribute any property to the heirs. | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| | Letters | 09/04/13 | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| <input checked="" type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| <input checked="" type="checkbox"/> | FTB Notice | | |
| | | | Reviewed by: JF |
| | | | Reviewed on: 07/28/14 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 6 - Ybarra |

Atty Teixeira, J. Stanley, sole practitioner (for Petitioners Keith D'Ambrosio, second cousin, and Donna K. Farris, proposed Conservatee)

Petition for Appointment of Probate Conservator of the Person and Estate
(Prob. C. 1820, 1821, 2680-2682)

| | | |
|-----------------|--|---|
| Age: 59 years | TEMPORARY EXPIRES 7/30/2014 | NEEDS/PROBLEMS/COMMENTS: |
| | <p>KEITH D'AMBROSIO, second cousin, and DONNA K. FARRIS, proposed Conservatee, are Petitioners and request KEITH D'AMBROSIO be appointed as Conservator of the Person and Estate with bond to be filed following determination of the potential interest of the proposed Conservatee in the ESTATE OF TOM STEEL being administered in Oklahoma.</p> <p>Estimated Value of the Estate: Personal property - undetermined</p> <p>Voting Rights NOT affected.</p> <p>Petitioners state the proposed Conservatee is developmentally disabled and can manage many basic tasks, but requires and relies on assistance for various aspects of daily living, and that she understands basic concepts needed for medical care, but needs assistance in understanding more theoretical concepts and weighing risks and benefits of treatment. Petitioners state the proposed Conservatee has recently moved from Oklahoma to California to be with family here, as TOM STEEL, who was acting as her unofficial guardian without appointment by the Court in Oklahoma and with whom she had been residing in Oklahoma, died earlier this year and the proposed Conservatee was left to reside alone;</p> <p align="center">~Please see additional page~</p> | <p>Court Investigator Advised Rights on 7/16/2014.</p> <p>1. Need Conservatorship Video Viewing Certificate pursuant to Local Rule 7.15.9(A).</p> <p>Note Re Conservator's Bond: Petitioners state that once a reasonably estimated value of the proposed Conservatee's interest is determined, Petitioners will file a declaration as to the value of the estate and the amount of the bond to be furnished. Court will set Status Hearings as follows:</p> <ul style="list-style-type: none"> Tuesday, September 30, 2014 at 9:00 am in Dept. 303 for Court determination of bond amount and for subsequent filing of proof of bond; Tuesday, December 9, 2014 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and Wednesday, September 30, 2015 at 9:00 a.m. in Dept. 303 for filing of first account of the conservatorship. <p>Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.</p> |
| Cont. from | | |
| Aff.Sub.Wit. | | |
| ✓ Verified | | |
| Inventory | | |
| PTC | | |
| Not.Cred. | | |
| ✓ Notice of Hrg | | |
| ✓ Aff.Mail | | W / |
| Aff.Pub. | | |
| Sp.Ntc. | | |
| ✓ Pers.Serv. | | W / |
| ✓ Conf. Screen | | |
| Aff. Posting | | |
| ✓ Duties/Supp | | |
| Objections | | |
| Video Receipt | X | |
| ✓ CI Report | | |
| 9202 | | |
| ✓ Order | | |
| ✓ Letters | | |
| Status Rpt | | |
| UCCJEA | | |
| ✓ Citation | | |
| FTB Notice | | |
| | | <p>Reviewed by: LEG</p> <p>Reviewed on: 7/28/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 – Farris</p> |

Petitioners state, continued:

- The proposed Conservatee may be entitled to assets in **TOM STEEL'S** estate, and may have claims that property in his estate was misappropriated by him;
- Petitioner's attorney is in communication with the attorney handling matters related to **TOM STEEL'S** estate; however, the nature and extent of the proposed Conservatee's interest in the estate is undetermined at this time, and the Oklahoma attorney cannot pursue any interest the proposed Conservatee may have in **TOM STEEL'S** estate without appointment of a Conservator for her.

Court Investigator Julie Negrete's Report was filed on 7/23/2014.

| | | | |
|------------------------|----------------------|--|---------------------------------|
| DOD: 06/08/2014 | | JOYCE YAMAGUCHI , named executor without bond, is petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| | | | |
| | | Full IAEA – o.k. | |
| Cont. from | | Will dated: 03/12/2014 | |
| | Aff.Sub.Wit. | s/p | |
| ✓ | Verified | Residence: Fresno | |
| | Inventory | Publication: The Business Journal | |
| | PTC | Estimated value of the Estate: | |
| | Not.Cred. | Personal property - \$202,000.00 | |
| ✓ | Notice of Hrg | Real property - \$350,000.00 | |
| | | Total - \$552,000.00 | |
| ✓ | Aff.Mail | Probate Referee: Rick Smith | |
| ✓ | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| ✓ | Letters | | |
| ✓ | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| | 9202 | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |

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|----------------------------------|
| Reviewed by: LV |
| Reviewed on: 07/28/2014 |
| Updates: |
| Recommendation: Submitted |
| File 8 – Yoshioka |

Petition for Probate of Will and for Letters Testamentary; Authorization to
Administer Under IAEA (Prob. C. 8002, 10450)

| | | | |
|-------------------------------------|----------------------|--|--|
| DOD: 08/05/2013 | | LAWRENCE STUMPF brother/named executor without bond, is petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| | | | |
| | | Full IAEA – o.k. | <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Wednesday, 01/07/2015 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Wednesday, 09/30/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p> |
| | | Will dated: 01/12/2005 | |
| Cont. from | | Residence: Fresno | |
| <input type="checkbox"/> | Aff.Sub.Wit. | Publication: The Business Journal | |
| <input checked="" type="checkbox"/> | Verified | | |
| <input type="checkbox"/> | Inventory | | |
| <input type="checkbox"/> | PTC | Estimated value of the Estate: | |
| <input type="checkbox"/> | Not.Cred. | Personal property - \$360,000.00 | |
| <input checked="" type="checkbox"/> | Notice of Hrg | Probate Referee: Rick Smith | |
| <input checked="" type="checkbox"/> | Aff.Mail | w/o | |
| <input checked="" type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input checked="" type="checkbox"/> | Letters | | |
| <input checked="" type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| | | | Reviewed by: LV |
| | | | Reviewed on: 07/28/2014 |
| | | | Updates: |
| | | | Recommendation: Submitted |
| | | | File 9 – Nilmeier |

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

| | | | |
|--|-----|--|--|
| DOD: 1/29/14 | | NORMA GADBERRY , named executor without bond, is petitioner. Full IAEA – o.k. Holographic Will dated: 3/30/1999 Residence: Caruthers Publication: Fresno Business Journal | NEEDS/PROBLEMS/COMMENTS: 1. Need date of death of deceased spouse. Local Rule 7/1/1D. 2. Petition does not include a typed copy of the material provisions of the will. Probate Code §8002(b)(1). 3. Harold Wadlington, named alternate executor, was not listed on #8 of the petition. 4. Church of Christ of Caruthers is not listed on #8 of the petition. 5. Need proof of service of the Notice of Petition to Administer the Estate on: a. Harold Wadlington, named alternate executor. b. Church of Christ of Caruthers, beneficiary. - Probate Code 8110(b) Note: If the petition is granted, status hearings will be set as follows: • Wednesday, January 7/2015 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. • Wednesday, September 23, 2015 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required. |
| Cont. from | | | |
| <input type="checkbox"/> Aff.Sub.Wit. | S/P | | |
| <input checked="" type="checkbox"/> Verified | | | |
| <input type="checkbox"/> Inventory | | | |
| <input type="checkbox"/> PTC | | | |
| <input type="checkbox"/> Not.Cred. | | | |
| <input type="checkbox"/> Notice of Hrg | | | |
| <input checked="" type="checkbox"/> Aff.Mail | W/ | | |
| <input checked="" type="checkbox"/> Aff.Pub. | | | |
| <input type="checkbox"/> Sp.Ntc. | | Estimated value of the estate: Real property- \$155,000.00 Probate Referee: Rick Smith | |
| <input type="checkbox"/> Pers.Serv. | | | |
| <input type="checkbox"/> Conf. Screen | | | |
| <input checked="" type="checkbox"/> Letters | | | |
| <input checked="" type="checkbox"/> Duties/Supp | | | |
| <input type="checkbox"/> Objections | | | |
| <input type="checkbox"/> Video Receipt | | | |
| <input type="checkbox"/> CI Report | | | |
| <input type="checkbox"/> 9202 | | | |
| <input checked="" type="checkbox"/> Order | | | |
| <input type="checkbox"/> Aff. Posting | | Reviewed by: KT Reviewed on: 7/28/14 Updates: Recommendation: File 10 – Reddell | |
| <input type="checkbox"/> Status Rpt | | | |
| <input type="checkbox"/> UCCJEA | | | |
| <input type="checkbox"/> Citation | | | |
| <input type="checkbox"/> FTB Notice | | | |

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

| | | | |
|---------------------|-----------------------------------|--|--|
| DOD: 9/11/13 | | DANA COX , named executor, is petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| | | | |
| | | Full IAEA – O.K. | CONTINUED TO 09/08/14 Per request of counsel |
| | | | |
| Cont. from | | Holographic Will dated: 12/24/2010 | <ol style="list-style-type: none"> Need date of death of the following beneficiaries, pursuant to Local Rule 7.1.1D: <ol style="list-style-type: none"> Frank Cannan Beulah Cannan Guna Cannan Proof of Holographic Instrument must include a copy of the holographic instrument attached. In addition the form is incomplete at #1, number of years declarant was acquainted with the decedent and the signature of the declarant and the attorney are not dated. Will does not waive bond. Need waivers of bond from all beneficiaries or bond set at \$56,000.00. <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> Wednesday, January 7/2015 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Wednesday, September 23, 2015 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p> |
| ✓ | Proof of Holographic Inst. | Holographic codicil dated: 3/17/2011 | |
| ✓ | Verified | Holographic codicil dated: 5/22/12 | |
| | Inventory | Residence: Fresno | |
| | PTC | Publication: Fresno Business Journal | |
| | Not.Cred. | | |
| | Notice of Hrg | Estimated value of the Estate: | |
| ✓ | Aff.Mail | Personal property - \$50,000.00 | |
| | Aff.Pub. | Annual income - \$ 600.00 | |
| | Sp.Ntc. | Total - \$56,000.00 | |
| | Pers.Serv. | Probate Referee: Rick Smith | |
| | Conf. Screen | Note: An Affidavit Re: Real Property of Small Value was entered on 5/2/14 for this decedent. The Affidavit passes the decedent's real property to decedent's sister, Bonnie J. Cannan. This proceeding appears to include all the decedent's property except the real property. | |
| ✓ | Letters | | |
| ✓ | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| | 9202 | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |
| | | | Reviewed by: KT |
| | | | Reviewed on: 7/29/14 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 11 – Cannon |

| | | | | |
|--------------------|----------------------|---|--|--|
| DOD: 3-7-14 | | | IRAN RODRIGUES , Spouse and Named Executor without bond, is Petitioner. Full IAEA – ok Will dated 12-2-13 Residence: Fresno Publication: Business Journal <u>Estimated Value of Estate</u> Personal property: \$50,000.00 Annual income from personal property: \$500.00 Real property: \$425,000.00 Probate Referee: Steven Diebert | NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> Status hearings will be set as follows: • Wednesday, 01/07/2015 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Wednesday, 09/30/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required. |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| s/p | Aff.Sub.Wit. | | | |
| ✓ | Verified | | | |
| | Inventory | | | |
| | PTC | | | |
| | Not.Cred. | | | |
| ✓ | Notice of Hrg | | | |
| ✓ | Aff.Mail | w | | |
| ✓ | Aff.Pub. | | | |
| | Sp.Ntc. | | | |
| | Pers.Serv. | | | |
| | Conf. Screen | | | |
| ✓ | Letters | | | |
| ✓ | Duties/Supp | | | |
| | Objections | | | |
| | Video Receipt | | | |
| | CI Report | | | |
| | 9202 | | | |
| ✓ | Order | | | |
| | Aff. Posting | | | |
| | Status Rpt | | | |
| | UCCJEA | | | |
| | Citation | | | |
| | FTB Notice | | | |

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|----------------------------------|
| Reviewed by: skc |
| Reviewed on: 7-28-14 |
| Updates: |
| Recommendation: SUBMITTED |
| File 12 – Best-Rodrigues |

| | | |
|--------------------------|---|---|
| Age: 20 | <p>DEBRA PASLEY, mother, was appointed as Conservator of the Person and Estate pursuant to Order filed 3-5-13 with bond of \$15,000.00. Letters issued on 3-28-13.</p> <p>I&A filed 6-5-13 indicated cash of \$13,438.31.</p> <p>On 1-28-14, the Conservator filed a Post-Move Notice of Change of Residence of Conservatee to Moneta, VA.</p> <p>On 2-5-14, the Court granted the Conservator's Petition to Fix Residence Outside the State of California to Moneta, Virginia and set this status hearing for filing conservatorship of the person and estate (or equivalent) in Virginia.</p> <p>Status Report filed 5-22-14 states the conservator and Conservatee have moved to Oklahoma where the Conservator has secured employment. The Conservator is in the process of obtaining local counsel to initiate conservatorship proceedings in Oklahoma. An additional two (2) months is requested.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 3-28-14, 5-28-14</p> <p>1. Need status of establishing conservatorship of the person and estate (or equivalent) in Virginia.</p> |
| DOB: 04/23/93 | | |
| | | |
| | | |
| | | |
| Cont from 032814, 052814 | | |
| Aff.Sub.Wit. | | |
| Verified | | |
| Inventory | | |
| PTC | | |
| Not.Cred. | | |
| Notice of Hrg | | |
| Aff.Mail | | |
| Aff.Pub. | | |
| Sp.Ntc. | | |
| Pers.Serv. | | |
| Conf. Screen | | |
| Letters | | |
| Duties/Supp | | |
| Objections | | |
| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| Order | | |
| Aff. Posting | | |
| Status Rpt | | |
| UCCJEA | | |
| Citation | | |
| FTB Notice | | |
| | <p>Reviewed by: skc</p> <p>Reviewed on: 7-28-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13 – Pasley</p> | |

Status Hearing Re: Filing of the First Account

| | | | |
|--|--|---|---|
| | | <p>DEBRA PASLEY, Mother, was appointed as Conservator of the Person and Estate on 2-1-13 with bond of \$15,000.00.</p> <p>Bond was filed on 3-27-13 and Letters issued on 3-28-13.</p> <p>At the hearing on 2-1-13, the Court set this status hearing for the filing of the first account.</p> <p>Declaration filed 4-10-14 states that due to her move and search for employment the conservator has not been able to complete an accounting. The attorney requests that status be continued for one month to file the account.</p> <p>Status Report filed 5-22-14 by Ms. Erlach states the conservator and Conservatee have moved to Oklahoma where the Conservator has secured employment. The Conservator is in the process of obtaining local counsel to initiate conservatorship proceedings in Oklahoma. An additional two (2) months is requested.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: On 2-5-14, the Court granted the Conservator's petition to fix the conservatee's residence outside the State of California (to Virginia) and set a status hearing for the filing of a conservatorship or its equivalent in Virginia for 3-28-14.</p> <p>On 3-28-14, the Court was informed that the Conservator is seeking employment in a number of other states, and is waiting to establish conservatorship until she obtains employment and moves on a permanent basis. The status hearing was continued to 5-28-14.</p> <p>However, at this time, accounting remains due.</p> <p>Note: Pursuant to Probate Code §2630, this Court may retain jurisdiction of the conservatorship estate for the purpose of settling accounts prior to termination.</p> <p>Note: Per Declaration filed 1-30-13, the Conservatee's assets include a 1/5 interest in real property in Franklin County, Virginia and an account containing approx. \$13,087.22 as of 12-31-12.</p> <p>Note: I&A filed 6-5-13 indicates the account containing \$13,438.31. The Virginia real property interest is not subject to this conservatorship estate; however, pursuant to Probate Code §1063(h), the property must be noted in a schedule of the accounting.</p> <p>Therefore:</p> <p>1. Need First Account or status report pursuant to Local Rule 7.5.</p> |
| | | | |
| | | | |
| | | | |
| Cont. from 041114, 052314, 072914 | | | |
| Aff.Sub.Wit. | | | |
| Verified | | | |
| Inventory | | | |
| PTC | | | |
| Not.Cred. | | | |
| Notice of Hrg | | | |
| Aff.Mail | | | |
| Aff.Pub. | | | |
| Sp.Ntc. | | | |
| Pers.Serv. | | | |
| Conf. Screen | | | |
| Letters | | | |
| Duties/Supp | | | |
| Objections | | | |
| Video Receipt | | | |
| CI Report | | | |
| 9202 | | | |
| Order | | | |
| Aff. Posting | | | |
| Status Rpt | | | |
| UCCJEA | | | |
| Citation | | | |
| FTB Notice | | | |
| | | <p>Reviewed by: skc</p> <p>Reviewed on: 7-28-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13B – Pasley</p> | |

| | | |
|---|--|---|
| DOD: 07/04/12 | <p>WILLIAM MARTIN (MARTY) SHIBA, son, was appointed Executor with full IAEA and without bond on 03/28/13. Letters Testamentary were issued on 03/29/13.</p> <p>Inventory & Appraisal, final filed 07/15/13 - \$68,775.68</p> <p>Status Report filed 07/28/14 states: The office is currently in the process of preparing the petition and first account current in this matter. There is a Medi-Cal claim filed against the estate as well as a trust for this estate that is also considered in the estate plan. The executor and his attorney are currently in the process of completing negotiations and settlement of a dispute regarding the Medi-Cal claim. It is requested that this status hearing be continued for 45 days to allow time for the executor and his attorney to complete negotiations on the claim and to file the first account and report reflecting said negotiation and settlement.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 06/30/14</u></p> |
| Cont. from 053014, 063014 | | |
| Aff.Sub.Wit. | | |
| Verified | | |
| Inventory | | |
| PTC | | |
| Not.Cred. | | |
| Notice of Hrg | | |
| Aff.Mail | | |
| Aff.Pub. | | |
| Sp.Ntc. | | |
| Pers.Serv. | | |
| Conf. Screen | | |
| Letters | | |
| Duties/Supp | | |
| Objections | | |
| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| Order | | |
| Aff. Posting | | |
| Status Rpt | | |
| UCCJEA | | |
| Citation | | |
| FTB Notice | | |
| <p>Reviewed by: JF</p> <p>Reviewed on: 07/28/14</p> <p>Updates: 07/29/14</p> <p>Recommendation:</p> <p>File 14 - Shiba</p> | | |

| | | | |
|-------------------------------------|----------------------|--|--|
| Age: 8 years | | CHRISTINA RODRIGUEZ , mother, is petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| | | | |
| | | REED BISSEGGER and GRACIE BISSEGGER , maternal grandparents, were appointed guardians on 11/5/2007. | Continued from 6/11/14. As of 7/28/14/14 the following issues remain: |
| | | | |
| Cont. from 050714, 061114 | | Petitioner states there is currently a court order allowing her visitation with her son once per week. Her mother [guardian], Gracie Bissegger is not allowing visits with her son. She is violating the court order. The last time petitioner spoke with the guardian she stated that she has moved and is not letting Petitioner know her new address. She also changed her phone number so now Petitioner has no contact with her. | 1. Need Notice of Hearing. |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> | Verified | 2. Need proof of service of the Notice of Hearing on: a. Reed Bessegger (guardian) b. Gracie Bissegger (guardian) | |
| <input type="checkbox"/> | Inventory | | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input type="checkbox"/> | Notice of Hrg | X | |
| <input type="checkbox"/> | Aff.Mail | X | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input type="checkbox"/> | Letters | | |
| <input type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input type="checkbox"/> | Order | X | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| | | Current visitation order per minute order dated 7/19/12 states the prior order of 10/1/09 remains in full force and effect (see below). The guardian is ordered to cooperate with visitation. Parties mutually agree on a location for visitation. The court orders that if mother is visiting at the guardian's home, she is to come alone. Mother is directed to contact the guardian to arrange visitation. | |
| | | Minute order dated 10/1/09 states the court orders supervised visitation with the mother. The court will not allow overnight visits at this time. Parties can mutually agree on the times. | |
| | | | Reviewed by: KT |
| | | | Reviewed on: 7/28/14 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 15 - Lopez |

Atty Moreno, Vicente (Pro Per – Father – Petitioner)

Atty Moreno, Rosemary (Pro Per – Paternal Grandmother – Guardian)

Petition for Termination of Guardianship

| | | | |
|---|----------------------|--|---|
| | | VICENTE MORENO , Father, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: Note: Petitioner resides in Carson City, NV. |
| | | ROSEMARY MORENO , Paternal Grandmother, was appointed Guardian on 11-13-13. | |
| | | Mother: MARGIE MORALES | <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on the guardian and on <u>all relatives</u> pursuant to Probate Code §1460(b)(5). 3. Petitioner requests that the Court terminate the guardianship and award him sole legal and physical custody of the minor. Please note that this Probate Guardianship Court cannot award custody to either parent. If the guardianship is terminated, Petitioner must seek custody orders in the appropriate Family Court. |
| | | Paternal grandfather: Deceased | |
| | | Maternal grandparents: Not listed | |
| | | Sibling: Victoria Fry | |
| | Aff.Sub.Wit. | | |
| ✓ | Verified | | |
| | Inventory | | |
| | PTC | | |
| | Not.Cred. | | |
| | Notice of Hrg | X | |
| | Aff.Mail | X | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| | Letters | | |
| | Duties/Supp | | |
| ✓ | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| | 9202 | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |

Petitioner states that when guardianship was established, he was living with his mother (Guardian Rosemary Moreno) and only working part time. He was struggling financially. With the help of his mother, he was able to provide a home for Aaron. Petitioner has never been involved with drugs or other vices, the only thing that held him back from being a father was his financial situation. It has been over six months since then and Petitioner has now been able to find good employment and a suitable apartment (in Carson City, NV) where Aaron can live comfortably. Petitioner now has the ability, time, and means to put him in school and help him grow. Petitioner states his mother is hesitant to release him because she has become attached to Aaron. Petitioner understands, but states it is time for him to be a father and take responsibility. Petitioner states the mother has never been a part of Aaron's life. Since moving to Carson City, NV, Petitioner has done nothing but send packages for his son. He continues to participate in his life and school. See attached declaration of Aaron's teacher. Petitioner states in the past six months he has tried to visit at least twice, but his mother always has an excuse for him not to visit. Petitioner requests the Court terminate the guardianship and grant sole legal and physical custody so that Aaron can live with Petitioner.

Guardian Rosemary Moreno filed an Objection on 7-22-14. See Page 2

Court Investigator Samantha Henson filed a report on 7-24-14.

| |
|-----------------------------|
| Reviewed by: skc |
| Reviewed on: 7-28-14 |
| Updates: |
| Recommendation: |
| File 16 – Moreno |

Page 2

Guardian's Objection states the petitioner shows a total disregard for Aaron's care and safety, developmental progress, education, and financial needs since birth. Consequently, he left Aaron in Guardian's care in the summer of 2013. He would leave Aaron home alone at the age of six. Aaron is inappropriately fascinated with violent video games that Petitioner exposed him to at a young age. Petitioner was pulled over on more than one occasion for failing to secure Aaron in a child seat, and also had his vehicle impounded for transporting Aaron with a suspended license.

Ms. Moreno states Aaron has a learning disability, and struggled to meet many educational and developmental milestones while under Petitioner's primary care. He was not able to dress himself before age seven, and did not understand the concept of time until age eight. He has now been diagnosed with ADHD and is receiving education accommodations and special education assistance as described in his new IEP (attached) as well as medication that helps him focus.

Ms. Moreno states he has been receiving private tutoring in reading and his skills have now improved to match his 2nd grade level. He is attending a recreational summer camp for the remaining four weeks of summer before 3rd grade, and is scheduled to return to his tutoring in the fall. He is also scheduled to participate in a Speech Pathology program at CSU designed to provide support for his stuttering disorder.

Aaron's special education needs and medical diagnosis require extensive financial resources to provide appropriate care, which she has provided since his birth. Ms. Moreno states she is the only stability that Aaron has experienced in his eight years of life and terminating the guardianship would seriously jeopardize Aaron's safety, developmental, and educational progress.

Atty Kruthers, Heather H., of County counsel's Office (for Petitioner Public Guardian)
 Atty Walters, Jennifer, of Walters & Moshrefi (Court-appointed for Conservatee)
 Atty Amador, Catherine A., of Pascuzzi, Moore & Stoker (for Albert Rousseau, son)

Petition for Appointment of Temporary Conservatorship of the Estate

| | | |
|--|---|---|
| Age: 87 years | TEMPORARY GRANTED EX PARTE | NEEDS/PROBLEMS/COMMENTS: |
| | EXPIRES 7/30/2014 | |
| | <u>COURT TRIAL SET FOR 9/15/2014</u> | |
| Cont. from | PUBLIC GUARDIAN , Conservator of the Person court-appointed on 2/10/2014 with medical consent and dementia powers, is Petitioner and requests appointment as Conservator of the Estate without bond. | |
| <input type="checkbox"/> Aff.Sub.Wit. | | <p>Court Investigator Advised Rights on 7/23/2014.</p> <p>Note: Notice of Non-Availability of Counsel filed 6/4/2014 states Attorney Jennifer Walters will not be available for all purposes from 7/21/2014 through and including 8/1/2014.</p> <p>Note: Ex Parte Order Appointing Temporary Conservator of the Estate filed 7/30/2014 grants the following specific powers: The temporary Conservator may access and use funds from any account held in any institution for the benefit of the Conservatee, regardless of the vesting (i.e., individual, joint, or trust.)</p> <p>Note: Minute Order dated 7/7/2014 from the hearing on the Petition for Appointment of Probate Conservator of the Estate filed 5/30/2014 by the Public Guardian following its appointment on 2/10/2014 by the Court, on its own motion and with consent of the parties, as Conservator of the Person, states: The Court sets the matter for Settlement Conference on 8/26/2014. Counsel is directed to submit their settlement conference statements one week before the hearing. Matter set for Court Trial on 9/15/2014 with a half day estimate.</p> <p>Reviewed by: LEG</p> <p>Reviewed on: 7/28/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 17 – Rousseau</p> |
| <input checked="" type="checkbox"/> Verified | | |
| <input type="checkbox"/> Inventory | | |
| <input type="checkbox"/> PTC | | |
| <input type="checkbox"/> Not.Cred. | | |
| <input checked="" type="checkbox"/> Notice of Hrg | | |
| <input checked="" type="checkbox"/> Aff.Mail | W/ | |
| <input type="checkbox"/> Aff.Pub. | | |
| <input type="checkbox"/> Sp.Ntc. | | |
| <input checked="" type="checkbox"/> Pers.Serv. | W/ | |
| <input type="checkbox"/> Conf. Screen | | |
| <input type="checkbox"/> Letters | | |
| <input type="checkbox"/> Duties/Supp | | |
| <input type="checkbox"/> Objections | | |
| <input type="checkbox"/> Video Receipt | | |
| <input checked="" type="checkbox"/> CI Report | | |
| 9202 | | |
| Order | | |
| <input type="checkbox"/> Aff. Posting | | |
| <input type="checkbox"/> Status Rpt | | |
| <input type="checkbox"/> UCCJEA | | |
| <input type="checkbox"/> Citation | | |
| <input type="checkbox"/> FTB Notice | | |

PUBLIC GUARDIAN, Conservator of the Person court-appointed on 2/10/2014 with medical consent and dementia powers, is Petitioner and requests appointment as Conservator of the Estate without bond.

Estimated Value of the Estate:

Personal property - **Unknown***

*Assets held in trust by proposed Conservatee's children.

Petitioner states that on 2/10/2014 Petitioner (PG) was appointed the Conservator of the person of the Conservatee with medical powers; her son, **ALBERT ROUSSEAU**, had filed a petition for his daughter, **ANDREA ROUSSEAU**, to become Conservator, and it was denied; since 2/11/2014 the PG has been acting as temporary conservator of the person, coordinating Conservatee's care providers, and Albert and the Conservatee's other son, **JEAN ROUSSEAU**, as Co-Trustees, have been managing the estate assets, the majority of which are primarily held in the **LIZIBET E. ROUSSEAU LIVING TRUST**;

~Please see additional page~

Petitioner states, continued:

- However, the care providers are not paid on time, they are not given enough money to buy all the groceries and prescriptions, and the house needs repairs that the family has not made; despite assurances by Albert and Jean, nothing improved, which was why the PG filed on 5/30/2014 a *Petition for Appointment of Probate Conservator of the Estate*.
- Prior to filing on 5/30/2014 the *Petition for Appointment of Probate Conservator of the Estate*, Petitioner had expressed concerns to the sons regarding their mishandling of the Conservatee's finances, and since the filing it appears that Albert, who was primarily responsible, now wants to step back and let Jean, who was mostly absent, hand the assets;
- Since the hearing on 7/7/2014, the PG's attorney put on hold the preparation of a petition for temporary conservatorship due to Albert's attorney advise the PG that he no longer objected to the general petition;
- Thus the PG expected Jean to begin paying bills and ensuring his mother has money; not only has Jean not provided for her care, he is not responding to calls or texts from Albert's attorney, the Conservatee's care provider, or the PG;
- Since the 7/7/2014 hearing, the Conservatee's cable has been turned off, and the care provider has had to use her personal funds to cover the Conservatee's lunch; the care provider does not have money for co-pays for medical appointments, and she is still not being paid on time;
- PG asserts that a temporary conservatorship of the estate is absolutely necessary to provide for the Conservatee's needs, even the most basic of food and medical expenses;
- PG has tried to work with the family, now particularly Jean, but it has become too urgent a matter to wait any longer for him to respond;
- Because some or all of the Conservatee's funds may be held in trust, the PG requests authority to access and use all accounts, regardless of their vesting.

Court Investigator s Report was filed on 7/24/2014.

| | | | |
|----------------------|----------------------|--|---|
| DOD: 07/22/13 | | KATHLEEN WYNN , daughter, is Petitioner and requests appointment as Administrator without bond. | NEEDS/PROBLEMS/COMMENTS: |
| | | | |
| | | | |
| Cont. from | | Full IAEA – NEED PUBLICATION | |
| | Aff.Sub.Wit. | Will dated or Decedent died intestate? -(See note 1) | 1. The Petition is inconsistent regarding whether decedent had a will or died intestate (without a will). Need clarification. If decedent had a will, a copy of the will must be attached to the Petition and the original must be deposited with the Court. If the decedent died intestate, need waivers of bond from all heirs or bond in the amount of \$105,500.00. |
| ✓ | Verified | | 2. Need proof of publication. |
| | Inventory | Residence: Kingsburg | 3. The Petitioner indicates that the decedent had a predeceased spouse. Need name and date of death of predeceased spouse pursuant to Local Rule 7.1.1D. |
| | PTC | Publication: NEED PUBLICATION | 4. Need Confidential Supplement to Duties and Liabilities (form DE-147S). |
| | Not.Cred. | | 5. Need Order & Letters. |
| ✓ | Notice of Hrg | Estimated value of the estate: | Note: If the petition is granted status hearings will be set as follows: |
| ✓ | Aff.Mail | Personal property - \$ 5,000.00 | • Wednesday, January 7, 2015 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and |
| | Aff.Pub. | Real property - 100,000.00 | • Wednesday, September 2, 2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. |
| | Sp.Ntc. | Total - \$105,000.00 | Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter, the status hearing will come off calendar and no appearance will be required. |
| | Pers.Serv. | Probate Referee: STEVEN DIEBERT | Reviewed by: JF |
| | Conf. Screen | | Reviewed on: 07/28/14 |
| | Letters | | Updates: |
| | Duties/Supp | | Recommendation: |
| | Objections | | File 18 – Morse |
| | Video Receipt | | |
| | CI Report | | |
| | 9202 | | |
| | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |

Petition for Appointment of Temporary Guardian of the Person

| | | | | | |
|-------------------------------------|----------------------|--|---|--|--|
| Age: 16 | | <u>GENERAL HEARING 09/18/14</u> | | NEEDS/PROBLEMS/COMMENTS: | |
| | | COURTNEY ALCOSER , sister, is Petitioner. | | 1. Need <i>Notice of Hearing</i> . | |
| | | Father: NOT LISTED | | 2. Need proof of personal service at least 5 court days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Guardian of the Person</i> <u>or</u> Declaration of Due Diligence <u>or</u> Consent & Waiver of Notice for: | |
| Cont. from | | Mother: LINDA CAMPBELL | | a. Father | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | | b. Linda Campbell (mother) | |
| <input checked="" type="checkbox"/> | Verified | Paternal grandparents: NOT LISTED | | c. Makenzie Campbell (minor) | |
| <input type="checkbox"/> | Inventory | Maternal grandparents: NOT LISTED | | | |
| <input type="checkbox"/> | PTC | | | | |
| <input type="checkbox"/> | Not.Cred. | | | | |
| <input type="checkbox"/> | Notice of Hrg | <input checked="" type="checkbox"/> | Petitioner states that the minor's mother is unfit to care for her and her current living situation is unstable. Makenzie is struggling with her academics due to her poor living situation and the mental and physical abuse she has been subjected to. Petitioner states that the minor needs her own bedroom and proper meals for her overall health. | | |
| <input type="checkbox"/> | Aff.Mail | <input checked="" type="checkbox"/> | | | |
| <input type="checkbox"/> | Aff.Pub. | | | | |
| <input type="checkbox"/> | Sp.Ntc. | | | | |
| <input type="checkbox"/> | Pers.Serv. | | | | |
| <input checked="" type="checkbox"/> | Conf. Screen | | | | |
| <input checked="" type="checkbox"/> | Letters | | | | |
| <input checked="" type="checkbox"/> | Duties/Supp | | | | |
| <input type="checkbox"/> | Objections | | | | |
| <input type="checkbox"/> | Video Receipt | | | | |
| <input type="checkbox"/> | CI Report | | | | |
| <input type="checkbox"/> | 9202 | | | | |
| <input checked="" type="checkbox"/> | Order | | | | |
| <input type="checkbox"/> | Aff. Posting | | | | |
| <input type="checkbox"/> | Status Rpt | | | | |
| <input checked="" type="checkbox"/> | UCCJEA | | | | |
| <input type="checkbox"/> | Citation | | | | |
| <input type="checkbox"/> | FTB Notice | | | | |
| | | | | Reviewed by: JF | |
| | | | | Reviewed on: 07/28/14 | |
| | | | | Updates: | |
| | | | | Recommendation: | |
| | | | | File 19 – Campbell | |